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General and complete disarmament: nuclear disarmament

Algeria, Bangladesh, Belize, Benin, Bhutan, Burkina Faso, Cambodia, Cuba, Dominican Republic, Ecuador, Fiji, Indonesia, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Malaysia, Mongolia, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Philippines, Senegal, Seychelles, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, Timor-Leste, Uganda, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam and Zambia: draft resolution

Nuclear disarmament

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolutions 50/70 P of 12 December 1995, 51/45 O of 10 December 1996, 52/38 L of 9 December 1997, 53/77 X of 4 December 1998, 54/54 P of 1 December 1999, 55/33 T of 20 November 2000, 56/24 R of 29 November 2001, 57/79 of 22 November 2002, 58/56 of 8 December 2003, 59/77 of 3 December 2004, 60/70 of 8 December 2005, 61/78 of 6 December 2006, 62/42 of 5 December 2007, 63/46 of 2 December 2008, 64/53 of 2 December 2009, 65/56 of 8 December 2010 and 66/51 of 2 December 2011 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the establishment of a nuclear-weapon-free world,

Bearing in mind that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972[1] and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993[2] have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to

[1] United Nations, *Treaty Series*, vol. 1015, No. 14860.
[2] Ibid., vol. 1974, No. 33757.

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achieve a nuclear weapons convention on the prohibition of the development, testing, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

Recognizing that there now exist conditions for the establishment of a world free of nuclear weapons, and stressing the need to take concrete practical steps towards achieving this goal,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament,[3] calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reaffirming the conviction of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[4] that the Treaty is a cornerstone of nuclear non-proliferation and nuclear disarmament, and the importance of the decision on strengthening the review process for the Treaty, the decision on principles and objectives for nuclear non-proliferation and disarmament, the decision on the extension of the Treaty and the resolution on the Middle East, adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[5]

Stressing the importance of the thirteen steps for the systematic and progressive efforts to achieve the objective of nuclear disarmament leading to the total elimination of nuclear weapons, as agreed to by the States parties in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[6]

Recognizing the important work done at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[7] and affirming its action plan as an impetus to intensify work aimed at beginning negotiations for a nuclear weapons convention,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Reiterating its call for an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty,[8]

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[3] Resolution S-10/2.

[4] United Nations, *Treaty Series*, vol. 729, No. 10485.

[5] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

[6] See *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

[7] See *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I-III (NPT/CONF.2010/50 (Vols. I-III)).

[8] See resolution 50/245.

Taking note of the entry into force of the new strategic arms reduction treaty between the Russian Federation and the United States of America, in order to achieve further deep cuts in their strategic and tactical nuclear weapons, and stressing that such cuts should be irreversible, verifiable and transparent,

Recalling the entry into force of the Treaty on Strategic Offensive Reductions ("the Moscow Treaty") between the United States of America and the Russian Federation[9] as a significant step towards reducing their deployed strategic nuclear weapons, while calling for further irreversible deep cuts in their nuclear arsenals,

Noting the positive statements by nuclear-weapon States of their intention to pursue actions in achieving a world free of nuclear weapons, while reaffirming the need for urgent concrete actions by nuclear-weapon States to achieve this goal within a specified framework of time, and urging them to take further measures for progress on nuclear disarmament,

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Recalling the advisory opinion of the International Court of Justice on the *Le[illegible]lity of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[10] and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Mindful of paragraph 102 of the Final Document of the Coordinating Bureau of the Non-Aligned Movement at its Ministerial Meeting, held in Havana from 27 to 30 April 2009,[11]

Recalling paragraph 157 and other relevant recommendations in the Final Document of the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012[12] calling upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament and to commence negotiations on a phased programme for the complete elimination of nuclear weapons within a specified framework of time, including a nuclear weapons convention,

Noting the adoption of the programme of work for the 2009 session by the Conference on Disarmament on 29 May 2009,[13] after years of stalemate, while

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[9] See CD/1674.

[10] A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

[11] See A/63/858.

[12] A/67/506-S/2012/752, annex I.

[13] See CD/1864.

regretting that the Conference has not been able to undertake substantive work on its agenda in 2012,

Reaffirming the importance and validity of the Conference on Disarmament as the sole multilateral negotiating forum on disarmament, and expressing the need to adopt and implement a balanced and comprehensive programme of work on the basis of its agenda and dealing with, inter alia, four core issues, in accordance with the rules of procedure,[14] and by taking into consideration the security concerns of all States,

Reaffirming also the specific mandate conferred upon the Disarmament Commission by the General Assembly, in its decision 52/492 of 8 September 1998, to discuss the subject of nuclear disarmament as one of its main substantive agenda items,

Recalling the United Nations Millennium Declaration,[15] in which Heads of State and Government resolved to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

Recalling also the statement on the total elimination of nuclear weapons, adopted by the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries, held in Bali, Indonesia, from 23 to 27 May 2011, recalled by the Heads of State or Government of Non-Aligned Countries at their Sixteenth Conference,[12] in which the Movement reiterated its call for an international conference to identify ways and means of eliminating nuclear weapons at the earliest possible date,[16]

Reaffirming that, in accordance with the Charter of the United Nations, States should refrain from the use or threat of use of nuclear weapons in settling their disputes in international relations,

Seized of the danger of the use of weapons of mass destruction, particularly nuclear weapons, in terrorist acts and the urgent need for concerted international efforts to control and overcome it,

1. *Recognizes* that the time is now opportune for all the nuclear-weapon States to take effective disarmament measures to achieve the total elimination of these weapons at the earliest possible time;

2. *Reaffirms* that nuclear disarmament and nuclear non-proliferation are substantively interrelated and mutually reinforcing, that the two processes must go hand in hand and that there is a genuine need for a systematic and progressive process of nuclear disarmament;

3. *Welcomes and encourages* the efforts to establish new nuclear-weapon-free zones in different parts of the world, including the establishment of a Middle East zone free of nuclear weapons, on the basis of agreements or arrangements freely arrived at among the States of the regions concerned, which is an effective

[14] CD/8/Rev.9.

[15] See resolution 55/2.

[16] See A/65/896-S/2011/407, annex V.

measure for limiting the further spread of nuclear weapons geographically and contributes to the cause of nuclear disarmament;

4. *Welcomes* the ongoing efforts between the States members of the Association of Southeast Asian Nations and the nuclear-weapon States, and encourages the nuclear-weapon States in their early signing of the Protocol to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone;[17]

5. *Recognizes* that there is a genuine need to diminish the role of nuclear weapons in strategic doctrines and security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

6. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

7. *Also urges* the nuclear-weapon States, as an interim measure, to de-alert and deactivate immediately their nuclear weapons and to take other concrete measures to reduce further the operational status of their nuclear-weapon systems, while stressing that reductions in deployments and in operational status cannot substitute for irreversible cuts in, and the total elimination of, nuclear weapons;

8. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and to carry out effective nuclear disarmament measures with a view to achieving the total elimination of these weapons within a specified framework of time;

9. *Calls upon* the nuclear-weapon States, pending the achievement of the total elimination of nuclear weapons, to agree on an internationally and legally binding instrument on a joint undertaking not to be the first to use nuclear weapons, and calls upon all States to conclude an internationally and legally binding instrument on security assurances of non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States;

10. *Urges* the nuclear-weapon States to commence plurilateral negotiations among themselves at an appropriate stage on further deep reductions of nuclear weapons as an effective measure of nuclear disarmament;

11. *Underlines* the importance of applying the principles of transparency, irreversibility and verifiability to the process of nuclear disarmament and to nuclear and other related arms control and reduction measures;

12. *Also underlines* the importance of the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty,[6] and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons;[18]

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[17] United Nations, *Treaty Series*, vol. 1981, No. 33873.

[18] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VII and the security of non-nuclear-weapon States", para. 2.

13. *Calls for* the full and effective implementation of the thirteen practical steps for nuclear disarmament contained in the Final Document of the 2000 Review Conference;[6]

14. *Also calls for* the full implementation of the action plan as set out in the conclusions and recommendations for follow-on actions of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, particularly the 22-point action plan on nuclear disarmament;[7]

15. *Urges* the nuclear-weapon States to carry out further reductions of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

16. *Calls for* the immediate commencement of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of the report of the Special Coordinator[19] and the mandate contained therein;

17. *Urges* the Conference on Disarmament to commence as early as possible its substantive work during its 2013 session, on the basis of a comprehensive and balanced programme of work that takes into consideration all the real and existing priorities in the field of disarmament and arms control, including the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years;

18. *Calls for* the conclusion of an international legal instrument or instruments on adequate and unconditional security assurances to non-nuclear-weapon States;

19. *Also calls for* the early entry into force and strict observance of the Comprehensive Nuclear-Test-Ban Treaty,[8] while welcoming the recent ratification of the Comprehensive Nuclear-Test-Ban Treaty by Guatemala, Guinea and Indonesia;

20. *Expresses its regret* that the Conference on Disarmament was unable to establish an ad hoc committee to deal with nuclear disarmament in 2012, as called for by the General Assembly in its resolution 66/51;

21. *Reiterates its call upon* the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament in 2013 and to commence negotiations on a phased programme of nuclear disarmament leading to the total elimination of nuclear weapons within a specified framework of time;

22. *Calls for* the convening of an international conference on nuclear disarmament in all its aspects at an early date to identify and deal with concrete measures of nuclear disarmament;

23. *Requests* the Secretary-General to submit to the General Assembly at its sixty-eighth session a report on the implementation of the present resolution;

24. *Decides* to include in the provisional agenda of its sixty-eighth session under the item entitled "General and complete disarmament", the sub-item entitled "Nuclear disarmament".

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[19] CD/1299.